

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

ROBERT G. LAMARTINA, et al.

v.

GREAT AMERICAN INSURANCE  
COMPANY, et al.

:  
:  
:  
:  
:  
:  
:

Civil No. CCB-05-456

**MEMORANDUM**

In its March 31, 2006 memorandum and accompanying order, this court granted defendants' motions for summary judgment and granted defendant Great American Insurance Company's ("GAIC") request for sanctions.<sup>1</sup> Further briefing was requested as to the appropriate amount to be awarded.

GAIC timely filed a supplemental brief proposing sanctions in the amount of \$10,087.82, GAIC's fees and costs in this case. Nothing has been filed by the Lamartinas objecting or otherwise responding in any way to GAIC's proposal.<sup>2</sup> In any event, the court finds that GAIC's proposed amount of sanctions is appropriate. The rates relied upon and the number of hours worked by GAIC's counsel are unquestionably fair and reasonable. *See In Re: Kunstler*, 914 F.2d 505, 523 (4th Cir. 1990). In light of the severity of conduct involved, which is detailed in this court's March 31, 2006 opinion, it appears the full amount requested is appropriate – and

---

<sup>1</sup> The March 31, 2006 memorandum (docket entry no. 45) provides a thorough account of the factual and legal issues involved in this case which will not be repeated here.

<sup>2</sup> After the court's March 31, 2006 ruling, the Lamartinas did file a motion to reconsider and what was construed as a motion for relief from judgment. Both motions were denied.

is the minimum amount necessary – to deter similar future behavior. *See Brubaker v. City of Richmond*, 943 F.2d 1363, 1387 (4th Cir. 1991); *Kunstler*, 914 F.2d at 523.<sup>3</sup>

Based on the foregoing, the court will award sanctions in GAIC's favor against plaintiffs' counsel in the amount of \$10,087.82.

A separate Order follows.

July 28, 2006

Date

/s/

Catherine C. Blake  
United States District Judge

---

<sup>3</sup> There is also nothing before the court to suggest, nor any reason to believe, that plaintiffs' counsel would be unable to pay this sanction. *See Kunstler*, 914 F.2d at 523.